IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.34042 of 1997

Between:

Ambedkar Fishermen Co-operative Society, Kokkirailanka,

rep. by its Member, Balla Subba Rao, S/o Anjaiah
R/o Kokkirailanka Village, Eluru Mandal,
West Godavari District.

..... PETITIONER

AND

1 The Government of AP rep. by its Secretary, Irrigation,
Secretariat buildings, Saifabad,
Hyderabad.
2 The Commissioner, Land Revenue, Government of AP,
Hyderabad.
3 The District Collector,
West Godavari at Eluru.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction especially one in the nature of Writ of Mandamus declaring that no Water Cess as per the AP (Andhra Area) Irrigation Cess Act, 1865, is liable to be paid by the members of the petitioner-Society as their lands are not in the ayacut of the Kolleru Lake or any other irrigation source.

Counsel for the Petitioner: MR. P. SRI RAGHU RAM

Counsel for the Respondents: GP FOR IRRIGATION & COMMERCIAL AREA DEVELOPMENT.

The Court made the following:

ORDER:

Learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with a liberty to question Section 3 of the A.P. Water Tax Act, 1988 (Act 13 of 1997). Permission is accorded.

Accordingly, the writ petition is dismissed as 'withdrawn' granting liberty to the petitioner to question Section 3 of the A.P. Water Tax Act, 1988 (Act 13 of 1997). No order as to costs.

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N.V. RAMANA, J.

Date: 12.04.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Irrigation, Government of AP,
Secretariat buildings, Saifabad,
Hyderabad.
2 The Commissioner, Land Revenue, Government of AP,
Hyderabad.
3 The District Collector,
West Godavari at Eluru.

4 Two CCs to GP for Irrigation and Commercial Area Development, High

Court buildings, Hyderabad (OUT)

5 Two CD copies